

# Equal Rights

VOL. XVII, No. 49  
FIVE CENTS

SATURDAY  
JANUARY 9, 1932



HARRIS & EWING

Gail Laughlin

Vice-chairman of the National Council of the National Woman's Party, attorney-at-law and former member of the Maine Legislature, who will make the oral argument before the Supreme Court of the United States on the merits of the Welosky case if the writ is allowed. Miss Laughlin is a life-long campaigner for Equal Rights and a most eloquent and convincing speaker. She initiated the Jury Service law in California.

# Equal Rights



OFFICIAL ORGAN  
of the  
**National Woman's Party**  
Capitol Hill,  
Washington, D. C.  
Phone, Lincoln 1366  
Published Weekly  
at 19 West Chase Street,  
Baltimore, Md.  
Phone, Vernon 3279

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Entered as second-class matter at Postoffice,  
Baltimore, Md., under Act March 3, 1879.

Subscription, \$2.00 a Year  
Foreign Subscription, \$2.50

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| Founders            | \$100.00   |
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## OBJECT OF THE WOMAN'S PARTY

The object of this organization shall be to secure for women complete equality with men under the law and in all human relationships.

## THE LUCRETIA MOTT AMENDMENT

"Men and women shall have Equal Rights throughout the United States and every place subject to its jurisdiction."

"Congress shall have power to enforce this article by appropriate legislation."

[Senate Joint Resolution Number 52]  
[House Joint Resolution Number 55]  
Introduced in the Senate June 4, 1929,  
by SENATOR GERALD P. NYE, North Dakota.  
Introduced in the House April 25, 1929,  
by REPRESENTATIVE FREDERICK W. MAGRADY,  
Pennsylvania.

## One Resolution Becomes Effective

NEWS of the appointment of Mary E. Woolley as an American delegate to the Geneva Disarmament Conference was hailed with rejoicing at the National Woman's Party headquarters in Washington as marking the fulfillment of the Party's long declared stand that women should be represented in international conferences.

Twice the Woman's Party passed resolutions urging the President to appoint a woman delegate to the peace conference. These resolutions were passed at the Party Workers' Conference on May 31, 1931, and again on December 7 at the Biennial Convention of the National Woman's Party.

While it is not, of course, reasonable to suppose that the mere passage of these resolutions constituted a factor of importance in securing the appointment of Miss Woolley, the fact remains that the spirit represented by the passage of such resolutions was of enormous significance in overcoming what is still regarded as "a defect of sex." The appointment of women, no matter how well qualified they may be, to represent their country in international congresses is so lacking in precedent that great pressure must be brought to bear upon appointing officers in order to bring them to a realization of the change in the times. The women of the United States, and many of the men, too, desired to have a woman represent them at the Geneva Disarmament Conference, but had they failed to express their desire to the President of the United States, it is probable that even so outstanding a candidate as Miss Woolley might have been passed by simply because she was a woman.

Miss Woolley is the second woman plenipotentiary from the United States. The only other occasion when a woman was given such an honor was at the Conference on the Codification of International Law in The Hague in 1930, when Ruth B. Shipley, head of the Passport Division of the State Department attended as a delegate. On this occasion Emma Wold, a former officer of the National Woman's Party, served as a technical advisor to the conference.

Miss Woolley is widely known as an educator, being president of Mount Holyoke College and president of the American Association of University Women.

## As Others See Us

"THE National Woman's Party, still fighting grimly for Equal Rights," comments Rodney Dutcher in a syndicated column listing our Biennial Convention among Washington happenings of first magnitude, "is not the largest national women's organization, but it makes more protests and statements, lays more wreaths, and gets more publicity than all others combined."

Gretta Palmer, in her page in the New York *World-Telegram*, cites Woman's Party principles amusingly in her answer to a correspondent. We quote *seriatim*:

"Can't the decent women of New York be protected from that modern menace, the subway masher?" writes Red-Headed Woman.

"This low form of underground manhood, which infests our subways at the rush hours, makes it impossible for a girl to get home from her day's work without submitting to the most disagreeable type of flirtation or else raising a scene."

"For the peace of mind of girls who do not enjoy the amorous pinches of these immodest strangers, I suggest that the subway officials paint every third car white and allow only unescorted women to enter it."

"The idea, Red-Headed Woman, is pretty drastic. It harks back to the old segregation, which kept women, for so many years, out of club cars, saloons and Madison Square Garden on fight nights. You would have the National Woman's Party, which swings its battle ax at the word 'sex discrimination,' up in ears the minute that your plan was put into execution."

That the headlines also remember us is indicated by the following caption taken from an article in the *Literary Digest*, which reads, *Equal Rights for Hens*. The article goes on to say:

"Of prime interest to motorists is a highway principle enunciated by the Motor Vehicle Department of Connecticut to the effect that hens and their families have rights which must be respected."

We congratulate the headliner on his clear conception of the significance of the Equal Rights movement!

# The Welosky Case

By Burnita Shelton Matthews

ON December 9 a petition was filed in the Supreme Court of the United States for a writ of certiorari to review the judgment of a Massachusetts Court upholding the barring of women from the jury lists from which was drawn a jury to try a woman defendant, Genevieve Welosky.

In view of the great importance to women of the constitutionality of the barring of women from jury service, the National Woman's Party, at the suggestion of Alice Paul and the Massachusetts Branch, initiated the move to have the United States Supreme Court pass upon the matter in the Welosky case.

The matter involved as stated in the petition is, in part, as follows:

"As jurors were about to be impaneled for the trial of a complaint against petitioner (hereinafter called defendant) charging her with keeping and exposing intoxicating liquor for sale, she filed a challenge to the array. The ground of the challenge by defendant—a woman—was in substance as follows:

That the said petit jury was drawn from a body of persons from which was excluded, regardless of fitness, every person of defendant's sex, solely because of their sex, so that by no possibility could any woman sit upon the jury.

That while by the law of the Commonwealth jurors are to be selected from among persons qualified to vote for representatives to the general court, only men were called for jury duty and all qualified women voters were excluded.

That compelling defendant—a woman—to submit to a trial by a jury drawn from a body from which had been excluded every person of her sex, because of sex alone, however well qualified in other respects, abridges and denies defendant's constitutional rights under the Fourteenth and Nineteenth Amendments to the Constitution of the United States."

The brief in support of the petition states:

"The issues in the Supreme Judicial Court of Massachusetts were:

1. Whether women are eligible for jury service under General Laws, Chapter 234, Section 1, the relevant language of which is: 'A person qualified to vote for representatives to the general court shall be liable to serve as a juror,' with exceptions not material here; and

2. Whether to force a woman charged with a criminal offense to be tried by a jury chosen from a list from which members of her own sex were excluded, so that by no possibility could a woman sit upon the jury, is to deny her

the equal protection of the laws under the Fourteenth Amendment to the United States Constitution.

"The Supreme Judicial Court held that 'by the true construction of the statutes of this Commonwealth, . . . women are not eligible to jury service and that the preparation of the jury lists from which the jury in the case at bar were drawn from men alone was right'; and that 'the defendant has not been deprived of the equal protection of the laws guaranteed to her under the Fourteenth Amendment to the Federal Constitution'.

A cable from Paris, France, to the National Woman's Party Washington headquarters in Alva Belmont House brought the following greeting to members throughout the country from their beloved President:

"Happy and Prosperous New Year to you all is the sincere wish of your President, Alva Belmont."

"The contention of this petitioner is that the decision of the Supreme Judicial Court herein is contrary to the decision of this court in *Strauder v. West Virginia*, 100 U. S. 303. Following the adoption of the Fifteenth Amendment to the Federal Constitution, which, in effect, gave the vote to the Negro race, this court held in that case that the trial of a Negro charged with a criminal offense by a jury selected from a jury list from which Negroes were excluded under a statute of West Virginia confining jury service to white men was a denial to him of the equal protection of the laws under the Fourteenth Amendment to the Constitution of the United States. The women of Massachusetts were, in effect, enfranchised by the adoption of the Nineteenth Amendment and are in the same position that Negroes were after the passage of the Fifteenth Amendment in that they have been freed from political subjection. The Fourteenth Amendment guarantees the equal protection of the laws not merely to Negroes but to persons, and women are persons. Hence, defendant was deprived of the equal protection of the laws because on the ground that the Massachusetts statutes prohibit service by women on juries *all women* were excluded from the jury lists from which were drawn the jury passing judgment herein on the defendant—a woman—so that by no possibility could any person of defendant's sex sit upon the jury.

"The dictum of this court in *Strauder v. Virginia*, *supra*, is no longer pertinent. It is to the effect that—

'We do not say that within the limits from which it is not excluded by the amendment a State may not prescribe the qualifications of its jurors, and in so doing make discriminations. It may confine the selection to males, to free-holders, to citizens, to persons within certain ages, or to persons having educational qualifications. We do not believe the Fourteenth Amendment was ever intended to prohibit this. Looking at its history, it is clear it had no such purpose. Its aim was against discriminations because of race or color.'

"It was uttered at a time when the equal-protection clause of the Fourteenth Amendment was erroneously regarded as applying to Negroes alone. *Slaughter House Cases*, 16 Wall. 36, 81. In that case the court said:

"We doubt very much whether any action of a State not directed by way of discrimination against the Negroes as a class, or on account of their race, will ever be held to come within the purview of this provision."

"Moreover, it was uttered at a time when women were in legal subjection. Now, however, as stated by this court in *Adkins v. Children's Hospital*, 261 U. S. 525, 553:

' . . . The ancient inequality of the sexes, otherwise than physical, as suggested in the *Muller Case* (p. 421) has continued 'with diminishing intensity.' In view of the great—not to say revolutionary—changes which have taken place since that utterance, in the contractual, political, and civil status of women, culminating in the Nineteenth Amendment, it is not unreasonable to say that these differences have now come almost, if not quite, to the vanishing point.'

"In the case of *Neal v. Delaware*, 103 U. S. 370, this court held that the adoption of the Fifteenth Amendment rendered inoperative a provision in the then existing constitution of a State, whereby the right of suffrage was limited to the white race; that a statute confining the selection of electors is enlarged in its operation so as to embrace all those who, by the constitution of the State, as modified by that amendment, are entitled to vote; and that the exclusion of colored men, because of their color, from the jury lists from which jurors were drawn to try a Negro defendant, made by State officials acting for and on behalf of the State, without authority derived from the Constitution and laws of the State for such exclusion, was a violation of the constitutional rights of the Negro defendant.

"It is respectfully submitted that the decision of the Supreme Judicial Court of Massachusetts in this case is opposed to the opinion of this court in *Neal v. Delaware*, *supra*. The

Supreme Judicial Court holds that while the adoption of the Nineteenth Amendment rendered inoperative a Massachusetts constitutional provision whereby suffrage was limited to males, the statute confining the selection of jurors to persons qualified to vote for representatives to the general court, is not so enlarged in its operation as to embrace women, although by the constitution of the State, as modified by the Nineteenth Amendment, women are entitled to vote for representatives to the general court. The court further held that the debarment of all women from the jury lists from which the jury was

drawn to try the woman defendant, so that by no possibility could one of defendant's sex sit on the jury, was not a violation of the constitutional rights of the woman defendant.

"Women are in the majority in Massachusetts and to hold that no person of the most numerous class may serve on a jury is so arbitrary as to constitute a denial of equal protection. *Gulf, Colorado and Santa Fe Railway v. Ellis*, 165 U. S. 150, 155."

On the fourteenth day of December notice of the filing of the petition was given to the attorneys for the Common-

wealth of Massachusetts. Under the rules, the Commonwealth has 20 days after serving to make response. Soon after the expiration of the time given the Commonwealth for responding, the United States Supreme Court will consider the question of allowing the writ. When the writ is allowed, Gail Laughlin will enter her appearance and make the oral argument before the court on the merits of the case.

A report on the progress of the case will be made from time to time in EQUAL RIGHTS.

## Rhode Island Workers Oppose Night Work Ban

CLIPPINGS and letters from Rhode Island give a spirited view of the hearing on December 17 on the proposal to bar women from night work, held by the special commission created by the General Assembly to investigate the proposal.

The *Providence Journal* of December 18 had interesting headlines and reports of the hearing. "Girl Mill Hands Want Night Work," was the "top head." The "bank" continued, "30 Women Oppose Proposal to Abolish Late Hours; Two Professors Favor It." The *News-Tribune* of the same date said in its "bank": "Organized Labor and Ladies' Organizations Favor Law Forbidding Night Work."

The *Journal's* account included the following paragraphs:

"The special commission to study night work by women heard Professors C. E. Ekstrom and Albert F. Hinrichs declare at a hearing yesterday that the economic crisis calls for abolishing of night work to stabilize industry, and then heard more than a score of working girls from all parts of the State plead for the opportunity to work because their husbands or fathers are jobless. . . .

"Although the proponents of a law abolishing night work for women and girls appeared in numbers, and included bands of prominent welfare, school, girls' and labor organizations, nearly thirty girls were present to explain that such a law would throw them on public charity. Some of the girls said they were forewomen in large plants, and that they represented their entire shifts of night women operatives.

"Opposition to the proposed law was led by Josephine Casey, a member of the National Woman's Party, who said that 'it will mean extra breadlines if you abolish night work.' She declared a girl thrown out of a night job in a mill would not be helped by replacement of her job by a man, if her own husband had lost a job in some other shop. . . .

"To arguments by Professors Hinrichs and Ekstrom that the law would stabilize industry, Mr. Jalbert (Eugene L. Jalbert,

former Woonsocket police commissioner and head of the Woonsocket Spinning Company) declared that 'the only way to stabilize industry is to abolish all night work altogether. It will not stabilize industry if all you do is to put all women out of their jobs.' . . ."

The *News-Tribune's* account said, in part:

"Eugene L. Jalbert of Woonsocket, lawyer and mill owner, led opposition to the proposed abolition of night work. While he said he would favor abolition of all night work, both for men and women, it would only be through legislation that would apply to all States and not only to Rhode Island.

"He contended the proposal was 'unjust and discriminatory.' He charged the labor organization officials with attempting to stop the women from working so the men could get jobs. . . .

"John R. Dennis, an official of the Interlaken Braid Company, registered a protest against the proposed measure. Several women and girls, who were present with Miss Casey, related to the commission the necessity that they keep their night jobs in order to keep themselves and dependents from hunger and suffering.

"The commission is composed of former Senator Herbert M. Sherwood, Archibald Silverman, former president of the New England Manufacturing Jewelers' and Silversmiths' Association, and Edward F. Walker, secretary of the Textile Manufacturers' Association."

Josephine Casey, in her letter to Muna Lee, director of national activities of the National Woman's Party, said, in reporting how she and others had opposed the proposal:

"The Y. W. C. A. lady had told the number in the Girls' Club in Pawtucket who wanted the bill but we had more than that in one mill in Pawtucket. I called upon Kathleen to repeat what she said at Washington—then called attention to the woman who had brought the message that night. There were tears in her eyes. 'No working girl is actress enough to

show tears without a cause.' One got up and said, 'The Professor said night work is hard on a woman. Look at me. I've worked years, do I look weak?' Another said, 'A woman has the right to choose when and where she shall work.' Another and another and another spoke. One girl broke down and cried.

"In rebuttal Alice Hunt (of the Consumers' League) said that in England a hundred years ago a man cracked the whip and all obeyed. A man broke in with 'Well it is today and we are in America.' Alice Hunt said rhetorically, 'Who wants to work nights?' One of the girls answered, 'I do.' Alice Hunt said, 'You poor thing—we who are outside have helped you for 20 years and we are going to continue and when we die others will take up the work.' She practically told the girls they could not decide—that outsiders must do it for them. That made the girls mad. They talked about it when we later went for refreshments. The girls had a great time—enjoyed the battle and say they will keep organized until the amendment is won."

Meanwhile, Representative William P. Connery, Jr., Massachusetts (Democrat, has introduced in the House of Representatives a bill with the title, "To divest goods, wares, and merchandise manufactured or produced by women and minors of their interstate character in certain cases."

This bill would make the products of "women and minors" subject to the laws of the State in which they are sold "in the same manner as though such goods, wares, and merchandise had been manufactured or produced in such State or territory and shall not be exempt therefrom by reason of being introduced in the original package or otherwise."

This is designed to prevent sale of goods manufactured in one State where there are no restrictive laws on the products of women and minors, or where the laws are less restrictive, in a State which has such laws or has more restrictive laws than the State in which the goods were manufactured.

## Equal Rights Dialectics

**MRS. HERBERT:** "As executive secretary of the National Woman's Party we know you will give us authentic information as to the purpose of your organization. We feel that the National Woman's Party has been misquoted frequently. Now Mrs. Palmer, please enlighten us on this subject."

**Mrs. Palmer:** "Thank you Mrs. Herbert for granting me this opportunity to speak for the National Woman's Party. It is quite true that the Woman's Party is frequently misquoted and misunderstood. That, of course, is true of religion, politics, philosophy — all ideals — which are not understood by the general public and which may seem new or rather radical departures from the accepted fact. The Woman's Party is an organization of women devoted to one purpose and one only; to secure for women an equal status with men in the laws and equal opportunities in every pursuit of life. This is neither new nor radical, but it may not be understood by the man or woman in the street. So to clarify the situation, let us go into detail.

"More than two thousand years ago Aristophanes made an eloquent and brilliant Equal Rights plea through the medium of his famous Greek comedy, *Lysistrata*. Women throughout history have accomplished the seemingly impossible. Their names now emblazon the archives of every country. We have had our Joan of Arc's and their number is legion. This age-old movement to give women an equal position with men has, however, been given new impetus by the National Woman's Party.

"In 1848, two women pioneers in this country, Lucretia Mott, and Elizabeth Cady Stanton called a convention at Seneca Falls, New York, to consider the question of an equal position for women and at that convention a declaration of sentiments was set forth. This first Equal Rights convention in the United States demanded Equal Rights in the franchise, in education, in industry, in the professions, in political office, in marriage, in personal freedom, in control of property, in the church, and in the leadership of all moral and public movements.

"Realizing the tremendous power of the franchise women next directed their energies toward securing the right to vote. The National Woman's Party played a considerable part, as you no doubt know, in securing the passage of the National Suffrage Amendment. In fact that struggle is so well known that it needs no comment here. This amendment securing equality in the franchise is only the symbol of complete equality.

"In 1922 the National Woman's Party was reorganized for the purpose of re-

Mrs. Herbert of the Ray Current Events Club Interviewing Mildred V. Palmer Over Radio Station WGBS, New York, Wednesday, December 23, 1931

moving in the laws of the United States, all discriminations based on sex, and adopted as its declaration of principles, the declaration of Sentiments drawn up at Seneca Falls in 1848. One of the fundamental principles of our Government is liberty and justice for all. With regard to one-half of the people, however, that principle is given scant recognition.

"The Woman's Party has conducted a nationwide and exhaustive study of the discriminations against women in the law, so that for the first time the extent of the legal disabilities of women is known. This survey has won wide recognition as the most complete and authoritative presentation that has ever been made of the legal discriminations against women in the United States. It was found that more than one thousand discriminations exist in our laws. This survey revealed that in many States the rights of fathers are superior to those of mothers in the guardianship of minor children. Married women's property rights are restricted. A wife's earnings are often her husband's property. Jury service is denied to women. Women are denied political equality with men. A double legal standard of morals exists. The burden of illegitimate parenthood rests upon the mother. Women are denied equal citizenship rights. Women are barred from some of the leading schools, colleges and universities. Inheritance laws discriminate against women. Special restrictions prevail for women workers, and women are discriminated against with regard to employment.

**Mrs. Herbert:** "Mrs. Palmer, is there a movement to dismiss women regardless of their merits, only because they are married?"

**M. V. P.:** "Yes, Mrs. Herbert, I am sorry to say that women in this country are dismissed from employment simply because they are married. Last year we were made aware that married women were being dismissed from their jobs to make places for unemployed men. Public notice was given that a resolution would be introduced in the legislature barring from State service all married women whose husbands were also in State service, or whose incomes were sufficient to support them. We heard rumors that in addition women were being dismissed from private employment, but no concrete evidence was available. So we advertised in a local paper for all married women who had been dismissed on the ground of their married state to come to us and tell us their stories. The response was im-

mediate and great. The paper was scarcely off the press before these women telephoned or came in person to tell us what had actually happened. They came in droves, all telling the same story. They had husbands who were working, so they were obliged to forfeit their jobs. No consideration was given to the aged parents the wife's income supported, or to the young brother or sister whose education was possible only because the elder sister paid the bills. 'What does this mean,' they asked, 'must we forego marriage, if we need our jobs?'

"The newspapers of the country daily informs us of other dismissals, both private and public. A well-known railroad has laid off its married women, and will employ no others. A railroad brotherhood has recommended that another do likewise.

"Strange, isn't it, how such an action finds supporters?"

"Recently another public servant has assumed responsibility for the solution of the unemployment situation, although leaders everywhere have failed to do so. The Mayor of Syracuse has decreed the dismissal of all married women in the city's employ. Furthermore, he has established a very serious precedent by recommending abolishment of all civil service jobs from which the married women, standing on their legal rights, refuse to resign."

**Mrs. Herbert:** "But Mrs. Palmer, is there not some justice in the dismissal of these women?"

**M. V. P.:** "No, Mrs. Herbert, I shall be forthright and answer there is no justice in this action. All this is to relieve unemployment. But the replacement of one group of employees by another would not solve the unemployment situation. The Women's Bureau of the United States Department of Labor declares that there are some 2,000,000 married women gainfully employed in this country, and that a careful study of the situation reveals that they are employed for one purpose and generally speaking for one purpose only—to provide necessities for their families or to raise the standard of living.

"When times are booming and labor scarce, married women are readily employed. Special inducements are sometimes offered to get them. Then, when times get less prosperous, where there is unemployment, and when men as well as women are losing their jobs, the shoe is on the other foot. The married woman who works is said to be a menace to the social standards of the community. She is held up for criticism because it seems that she is taking jobs away from men who have families to support, and from girls who have to support themselves. In

hard times when there is unemployment the earnings of married women may be of vital significance to their families. The dismissal of a married woman from a textile mill will not give a job to her husband or any other man who is laid off from a steel mill or give a job to her daughter whose employer has closed down his candy factory.

"The buying power of the nation is in the hands of the married women. The more money she has to spend the more money there is in circulation. Her earnings help to support other members of the family. They give employment to others less fortunate. Electrical and other labor-saving equipment for the household is purchased, thus giving employment to thousands of others whose spending in turn provides jobs for men and women in other occupations.

"From the beginning of time the married woman performed the most arduous of tasks and for no other return than

love. And man has been delighted and willing that she should do so. As time went on those tasks of the home have gradually been lightened. The factory has taken over many that were formerly performed by the wife and mother. Man has always assumed responsibility for the tasks of honor. At first women tilled the soil. They wove material for clothing. They tended the herds which gave both food and raiment, bore the children and made a home for the family. Man reserved for himself the honorable tasks. He was hunter-warrior. But as the fire-side industries became commercial ventures, and employment thereat brought pay, men were eager and willing to undertake them. The compensation they brought dignified them as tasks of honor. As more and more of the housewife's duties were performed outside the home, there was less and less for her to do within the home. With the ever increasing rise in the cost of living occasioned by this

change and with more and more time on their hands women, too, went out to work. It is because pay is the reward of her labor, and it is a dignified and honorable profession, the cry is raised, 'Dismiss the married woman.'

Mrs. Herbert: "Mrs. Palmer, do you believe all government positions, regardless of sex should come under Civil Service, and what would you suggest as a remedy to keep it out of party politics?"

M. V. P.: "That, Mrs. Herbert, is a question beyond the scope of the Woman's Party, and as I am speaking for them it is not possible for me to answer in full. The Woman's Party stands back of Civil Service since it is based on the principle of equality. We believe efficiency and not sex should be the basis for employment. That I believe is the fundamental principle of Civil Service. The choice should rest with the one who will render the best service whether that one be man or woman."

## A Workingwoman in Rhode Island

By Josephine Casey

**I**MAGINE the shock the morning after my return from the convention to get a telephone call telling me the hearing on restrictive legislation was to take place at 2 P. M. that same day.

Of course the commission appointed by the Governor wants to be fair and naturally would welcome all the information available so as to render a just report. It was therefore an oversight which caused them to speed up just as the National Woman's Party was in convention.

Telephoning instructions to key women at Woonsocket, Anthony, Central Falls, Pawtucket, Crompton, Valley Falls, and Providence, I had the feeling of one standing on the side lines watching the power of a great principle. The girls most concerned were sleeping in their beds, not aware that anyone was trying to deprive them of the only thing they feel is between them and starvation—their jobs. They did not have telephones, and this meant that the key women had to move quickly from place to place.

One woman said, "My coat is at the cleaners! What will I do?"

"Borrow one, or wear a sweater under your spring coat."

A girl who had been keen in her opposition to restrictive legislation puzzled a key woman by showing hesitancy.

"What do you mean by saying you want to go but you can't go?" asked the Paul Revere.

With fearful embarrassment came the reply. "Because I haven't carefare." Needles to add, she got to the hearing.

The key women composed the Executive Board of the Rhode Island Textile Council of the National Woman's Party. They not only demonstrated good organi-

zation but convinced me that henceforth they could defend Rhode Island against basically false laws.

We met at the place agreed, and went together to the Capitol, arriving a few minutes before the meeting opened. Those already there showed surprise when we walked in.

The usual opposition was there. It is really one group with several names. Besides these half dozen ladies, the working women were opposed by two professors, one orthopedic surgeon, and two labor officials. The professor spoke first. Those present showed little interest in an argument largely theoretical. Only when one of them talked about Tahiti, Turkey, and Scandanavia, I heard a textile worker whisper: "We are getting a swell geography lesson." "And all for nothing," was another comment.

The orthopedic gentleman said night work was hard on women. He did not indicate that he ever had to rearrange hours because of night work, but he did much theorizing in the other kind of physicians' field.

The Consumers' League lady made an emotional appeal, and then several women arose and in the name of an organization said, "Me too." Nothing new nor interesting about it. The labor officials spoke. One of them announced that he had met the National Woman's Party organizer.

Jalbert of Woonsocket took the lead in the battle against lop-sided legislation. He is an attorney who has had experience in operating a mill and never have I heard a more brilliant and clear speech for Equal Rights. When he asked the ladies

on the opposite side if they had asked the opinion of their members or were they there representing their members without their consent, one of the labor men broke in with, "We asked them and without intimidation." Jalbert challenged the statement and the other had to crawl. After Jalbert, a working man spoke. He said he would not want to hold a job by depriving a woman of hers.

An official of the telephone company made a plea to exempt telephone girls. He described at length that women were more efficient at telephone service than boys or men—that great patience as well as regular efficiency was required to answer an excited call in the night. Let me say here that many working women are bitter because the telephone and telegraph girls do not lose their positions. They are not bitter at the girls and, of course, do not want wrong extended; but exempting some shows that whenever or wherever a no-night-law interferes with the comfort of a protectionist or legislator, the night worker then secures exemption!

The National Woman's Party was represented at the hearing by its field organizer, the secretary of its Rhode Island Industrial Council, and about thirty working women from various cities in the State. All members of the National Woman's Party.

The time allowed the women was short. Strange that it should be so, when the subject concerned their means of earning a livelihood and they were better able than anyone else to inform the commission. Except for a few necessary explanations, my own talk was concerned chiefly in calling on the girls to give their testimony. At first the chairman wanted me

to take their names to be entered on the record to save time, but when I pointed out that our opponents had given their names and said, "Me too," he agreed to let at least some of the girls say it out loud.

I began: "Kathleen O'Connell, tell the message the woman brought that night you saw me with them in the mill!" Kathleen repeated that gripping message, and as she finished I turned and pointed to another who was crying, and said, "There is the woman who brought the message. She is weeping, and no working woman is actress enough to weep without a cause." A woman stood up and said to the professors: "I wish you men sometime would lose your jobs. Then you would understand how it is with my husband and why I have to work so we can eat." Up comes another woman and brings joy to my heart by planting the equality standard high. This working woman said she is opposed to the false law because a woman has a right to choose her work and hold it on the same terms as a man.

A woman calm and smiling arose and looking at the orthopedic man and the little pale professor, said: "I have worked nights for years. Look at me! Do I look ill or in need of your sympathy?" Everyone smiled.

A man said, "I like my wife to work nights because I know where she is." His English was limited. What he was trying to get over was that the factory was safe, for he had seen it.

A pretty curly haired girl was telling about the economic load she had to carry and in the midst of it she burst out crying.

In rebuttal the Consumers' League lady asked rhetorically, "Why, who wants to work nights?" A textile girl spoke up and said, "I do! I prefer it." The speaker was stunned for a moment and then said, "You poor foolish girl, we must get laws for you. You are not able to do it." she added that for many years they had nobly defended the working women, and told how they had secured seats in stores for them. Some one should tell the lady that Florida has seats for "persons"; that the bouquet handed the working woman in Florida hasn't a nice little burr tucked in it to sting her. What the lady did say was plenty sufficient to show the workers of Rhode Island the attitude of the Philanthropists Circle. The girls were indignant. They talked about it afterwards and next day some of those at the hearing were translating it in French, Polish and Bohemian for their coworkers while others were spreading in it English through the mills.

Those women with a sixteenth century viewpoint are doubtless fine in many ways. They have the good points as well as the unworkable ones of the ladies of an earlier period. In the days of queens and feudal lords they would have been satisfied and happy; but in a free republic they are hopelessly out. They can't understand the meaning of self-government and what a precious thing it is to civilization. They don't see that they are interfering with citizens; and because they have money and friends, they presume to take away from a girl who is poor her only means of self help. If the legislation were right, some impulse would come from within the group; instead of outsiders passing it over the sobbing protests of the disinherited.

## This Feminism

By Sue S. White

A review of Mary Beard's Book ON UNDERSTANDING WOMEN (Longmans, Green & Co., New York, \$3.50).

no "children or men," but children of men and women.)

*Cherchez la femme*, with a new meaning, is the guide Mrs. Beard would give to all who seek antiquity for the truth. Following that guide, history would be rewritten and reinterpreted, without undue emphasis upon either man or woman. This would mean, of course, a complete re-writing and a new approach almost revolutionary. But as history grows away from the old concepts of military chronologists toward those of social philosophers, such writing of it may become even orthodox.

"All life is one," she reminds us. Why then divide in into male and female? Mrs. Beard goes back to early beginnings

We heard a little about the Textile Institute. One of the professors called off the names of a few manufacturers who they said favored the law. Mr. Jalbert read a letter from one manufacturer thus named, showing a clear contradiction. Some of the girls present were annoyed when the name of their firm was given as favoring the law. I've talked to Institute men in the State and I think this is where the mistake is. Some manufacturers who do not work nights agreed to sign that they would not work nights. Others signed under protest but every one I talked with said he was not in favor of a rigid law. It seems as if the professor were given Institute signatures and used them. This shows clearly how dangerous it is to accept the authority of college professors who do not have to prove their assertions by laboratory findings. However, it is inevitable that since the promise which they advocate is unsound, their so-called facts should not stand the test of investigation.

We are waiting to learn what the commission will report; but whether their report is good, bad or indifferent, it is a pretty sure thing that the Consumers' League will send in a little bill to prohibit night work between 10 P. M. and 6 A. M. because they seem wound up to do it and if they could get it through, it would be an entering wedge for more drastic laws.

As I listened to the Consumers' League lady trying to fit the illustration of "cracking a whip" which used to go over big twenty years ago but does not fit modern conditions, it came to me that what the National Woman's Party is actually battling is stale thought.

to find the woman, who though present in every struggle of the race has been somewhat left out of the recorded story of those struggles. She digs over a broad field but she finds what she seeks—the woman—not only in primitive society but throughout history. Finally, she sees the woman of today still "assuming the chief responsibility for the continuance and care of life"—and herein lies the challenge to the modern woman. Is she adjusting to this machine-run world, that "elemental force" without which "human life and everything built upon it will perish from the earth"?

There has been a great deal of mawkish sentiment expressed about what we were pleased in the old days to call "mother instinct." This murky sentiment we may discard, but we cannot get away from the fact that the continuance and care of life is life's great function, and in the exercise of it we find woman the primary factor.

**W**HENCE cometh this that we call "feminism" and whither bound?

According to Mary Beard, as I interpret her book, we may expect an answer to that question when we find the why and wherefore of life. All history, all progress, carry the woman-principle. "As it was in the beginning, is now and ever shall be." The race may have changed, conditions under which human beings live may have changed, but male and female they were created and have climbed.

This is no anti-feminist speaking in terms of biological differentiations viewed from present-day masculine standards, but a feminist sounding a challenge to modern men and women, to reinstate the woman-principle in the study of history and in social thinking. Life will be more harmonious when that is done and hold fulfillment for the children of men. (I deliberately use the phrase "children of men" to emphasize the point. There are

After all is said that can be said about individualism, the eternal feminine remains, relating itself not to the individual woman herself as much as to the whole

of life, embracing all humanity and all progress. The individual "mother instinct" may be translated into social philosophy and action.

Mrs. Beard has acted on her feminism (something too few "feminists" do) and has sought the woman in history and found her and placed her.

## Feminist Notes

### More British Women Fly

BRITISH women outnumber American women as aviators, probably because the women of England have gone into flying as a sport, according to a recent statement made by Charles S. Jones, vice-president of the Curtiss-Wright Corporation.

Only 445 women in the United States have pilots' licenses as compared to 3,349 women in Britain with pilots' certificates.

"In England and elsewhere in the British Isles aviation has attracted a large following simply as a sport or diversion," said Mr. Jones. "The Government there sponsors and aids flying clubs, while here the person who flies for fun gets no subsidy. There are no great distances between cities there, and as a consequence ships which will cruise along at 60 or 65 miles an hour are fast enough. But here

aviation is confronted with the job of providing transportation that is much faster than other methods of going places.

"In America the number of men interested in commercial aviation is so large that simply by comparison it appears that the number of women engaged in it is small."

### May Honor the Queen

QUEEN ISABELLA OF SPAIN may be honored by having her statue added to those of the National Capital's hundreds of soldier, sailor, and statesman heroes memorialized in stone, if Congress passes a joint resolution introduced by Senator David I. Walsh of Massachusetts.

The resolution provides for the erection of a monument to Queen Isabella by the Daughters of Isabella. The site chosen

and the design of the memorial must be approved by the Congressional Joint Committee on the Library with the advice of the Commission of Fine Arts, and erected under supervision of the Director of Public Buildings and Public Parks at the Capital.

### A Notable "First"

IN becoming chairman of the House of Representatives Committee on the District of Columbia, Representative Mary Teresa Norton of New Jersey not only becomes unofficial "Mayor of Washington," but, far more important, is the first woman ever to head a House committee.

Her chairmanship came about by automatic moving-up according to seniority when the Democrats organized the House. She was ranking Democratic member during the last Congress.

## News from the Field

### Students in Porto Rico

TERESA AMADEO, chairman of the Students' Council of the National Woman's Party at the University of Porto Rico, writes that she is planning to make a series of five-minute speeches on Equal Rights in the dormitories and classes at that university.

Miss Amadeo finds an amazing ignorance on the subject of Equal Rights among the students there. She hopes by these speeches to eliminate this ignorance and also to win some converts to her Students' Council.

### Young Women's Council

AN executive meeting of the officers of the Young Women's Council of the National Woman's Party was held at Alva Belmont House last week, and included Mabel Van Dyke, chairman, Fanny Bunand-Sevastos and Irene Garretson, vice-chairmen; Angelina Carabelli, executive secretary, and Mary Burrows, treasurer.

A new office was created, that of "Legislative Consultant," to which Margaret von Luers was appointed. She will secure from Maud Younger, Congressional chairman of the National Woman's Party, and Burnita Shelton Matthews, head of the Legal Research Department, current information as to the status before Congress of the Equal Rights Amendment and advise the members of the Council so they may take any necessary action.

Members of the committee include Virginia Towers Nottingham and Belle Leon.

Other committee chairmen were ap-

pointed who will be announced later with the names of the persons on their committees.

### TWO MILLION DOLLAR FUND

#### Treasurer's Report

LAURA BERRIEN, *Treasurer*

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RECEIPTS collected by National Headquarters, December 7, 1912, to November 1, 1931, \$1,881,186.70.

Contributions, membership and other receipts, November 1 to 30, 1931:

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| National Farm Women's Council of Maryland | 60.00  |
| Telephone refund                          | 26.25  |
| Room rent                                 | 143.00 |
| Sale of literature                        | 5.00   |

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|-------------------------------------------------------|----------|
| Per Equal Rights Committee, Dr. Donald R. Hooker, Md. | \$922.75 |
|                                                       | 500.00   |

Total receipts, November 1 to 30, 1931.....\$1,422.75

Total receipts, December 7, 1912, to November 30, 1931.....\$1,882,609.45

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600 East Lombard Street  
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